THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.9656 of 2006

Dated: 13-06-2006

Between:

Marella Venkata Rao.

..Petitioner

and

Andhra Pradesh State Road Transport Corporation, rep. by its Vice Chairman and Managing Director, Musheerabad, Hyderabad and others.

..Respondents.

THE HON'BLE MS JUSTICE G. ROHINI

W.P.No.9656 of 2006

ORDER:

The petitioner claims to be the owner of the bus, which was hired to the respondents Corporation. In this writ petition, the petitioner seeks a declaration that the alleged action of the respondents in reducing the hire charges and initiating recovery as arbitrary and illegal.

When the matter is taken up for consideration, the learned counsel for the petitioner submitted that identical matters were disposed of by this Court in W.P.No.21377 of 2001 and batch by an order, dated 29-08-2002. The said fact has not been disputed by the learned standing counsel appearing for the respondents.

Following the order in W.P.No.21377 of 2001 and batch, the Writ Petition is disposed of with the following terms:

i. The Regional Manager concerned of the Andhra Pradesh State Road Transport Corporation is directed to issue notice to the petitioner whose bus was hired and conduct survey in the presence of the petitioner or his duly authorized representatives for determining the actual length of the route by taking the advice/assistance from the officials of the Roads and Buildings Department of Government of Andhra Pradesh.

ii. After conducting such survey and determining the actual route length, the Regional Manager concerned may again verify the vehicle log books containing the operational particulars as well as certificate issued by the Traffic Supervisor of the Depot with regard to the distance operated during the specified period, take into consideration the excess schedule kilometers or deviations of the route, if any, and determine the actual distance on which the petitioner's vehicle plied.

iii. Till such determination is made no coercive steps shall be taken against the petitioners.

iv. As and when such a finding is arrived at by the Regional Manager, the petitioner undertakes to pay the amount, if any, excess paid to them; and

v. There shall be no order as to costs.

G. ROHINI, J

Dated: 13-06-2006

sj